

July 26, 1983

Memo to File:

RE: McFarland and Hullinger  
Crystal Mine  
ACT/045/010  
Tooele County, Utah

Susan Linner and Tom Portle of the Division met with Sid Hullinger at the above-mentioned mine site on July 14, 1983. The purpose of the meeting was to view material from the alluvial fan, which was being removed and transported to Getty's Mercur Operation. This material was to be used as Zone 5 and 6 material in the tailings dam.

Division concerns were:

1. that adequate material was retained to allow for reclamation of the Crystal Mine (only a very minimal soil stockpile has been held aside for this purpose);
2. that removal of said material was in accordance with federal law.

Hauling of the "fan" material was taking place during the inspection. This material was sampled and sent to Utah State for analysis. Mr. Hullinger appeared to have gleaned a better understanding of his reclamation obligations following the June 30, 1983 Grubaugh-Littig and Boucek inspection.

The BLM (George Campbell) visited the site on July 5, 1983 and verbally requested that this activity cease. The transport of common materials (sand, gravel, and dust) is controlled by 43 CFR and a notice of intention is therefore required. Such a notice had not been filed.

In a July 18, 1983 phone conversation with Mr. McFarland, he maintained that a map had been found which indicated that the surface in question was free and patented claims (Mercur Dome which had been subsequently purchased by Getty). However, Mr. Campbell indicated to me that while over burden (soil removal pursuant to a mining activity) was exempt that use solely in the manner of a "borrow" was covered by applicable regulations on public surface. It appears that this situation may be handled administratively by the BLM pending surveys with the cooperation of Getty. Getty maintains that removal of material will be associated with a mining activity.

A certified letter was sent to McFarland and Hullinger dated July 19, 1983 from DOGM. This letter requests that the company cease all hauling activity until environmental concerns outlined in the above letter are addressed.

THOMAS L. PORTLE *TLP*  
RECLAMATION SOILS SPECIALIST

TLP:gl

cc: Jim Smith  
Sue Linner  
Pam Grubaugh-Littig